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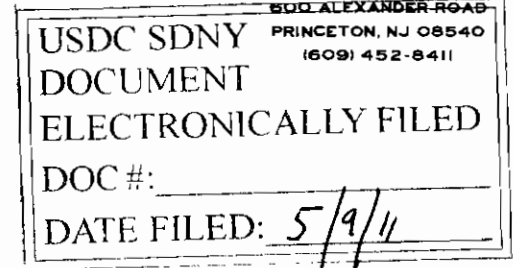
MEMO ENDORSED

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May 6, 2011

NEW JERSEY AFFILIATE
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BY HAND DELIVERY

The Honorable Richard M. Berman, USDJ
United States District Court, Southern District of New York
United States Courthouse
500 Pearl Street, Courtroom 21D
New York, NY 10007

Re: Stephen Carb as Trustee of Lollytogs, Inc. Trust
v. Lincoln Benefit Life Company Inc., 09-CV-2980 (RMB) (KNF)
Our File No: 09-103

Dear Judge Berman:

This firm represents Plaintiff Stephen Carb as Trustee of Lollytogs, Inc. Trust ("Plaintiff") in the above referenced matter. Please allow this letter to serve as a joint application of the parties to modify the existing pre-trial submission dates, as set forth in the Court's most recent Order dated February 8, 2011.

On March 29, 2011, Magistrate Fox extended the time to complete all discovery in this matter from April 29, 2011 to June 15, 2011. A copy of the March 29, 2011 Order is annexed hereto as Ex. "A." Subsequently, Your Honor adjourned the trial date in this matter from September 12, 2011 to October 17, 2011. A copy of the April 8, 2011 Order is annexed hereto as Ex. "B." Notwithstanding these extensions, the parties inadvertently failed to coordinate various other pre-trial submission dates. Consequently, a series of dates now exist that are inconsistent with the extensions set forth above. Accordingly, the parties have endeavored to resolve this by proposing a new Pre-Trial Order, while keeping intact the June 15, 2011 discovery deadline and October 17, 2011 trial date. I have conferred with Defendant's counsel and we have agreed to the following briefing schedule, subject to the Court's approval:

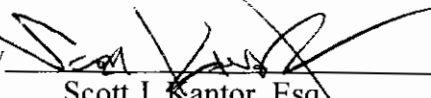
- 1) Plaintiff and Defendant to serve motions for summary judgment by hand by close of business on August 1, 2011.
- 2) Plaintiff and Defendant to serve opposition papers to each other's motions by hand by close of business on August 19, 2011.

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- 3) Plaintiff and Defendant to serve reply papers by standard federal express mail by August 29, 2011.
- 4) Plaintiff and Defendant to submit their Joint Pre-Trial Order to the Court on September 12, 2011.
- 5) Plaintiff to provide draft of joint jury instructions and verdict sheet to Defendant by September 12, 2011. If the instructions and verdict sheet are not disputed, Defendant to file joint jury instructions and verdict sheet with the Court by September 19, 2011. If disputed, Plaintiff is to submit its proposal and Defendant is to submit its counterproposal to the Court on September 26, 2011.
- 6) Plaintiff and Defendant to file and serve motion(s) in limine by standard federal express mail by September 19, 2011.
- 7) Plaintiff and Defendant to file and respond to motion(s) in limine by standard federal express mail by October 11, 2011.

Accordingly, we respectfully request that Your Honor "So Order" this joint application.

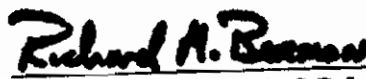
Respectfully Submitted,

By 
Scott J. Kantor, Esq.

cc:

VIA REGULAR MAIL AND EMAIL

Jay W. Cho
Seyfarth Shaw, LLP
620 Eighth Avenue
New York, NY 10018

A status conference is scheduled for 5/26/11 at 9:30 a.m., at which time we will discuss the parties' proposed schedule.	
SO ORDERED: Date: 5/9/11	 Richard M. Berman, U.S.D.J.